

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

Civil Action No. 24 CV 6133

v.

DIANE JACKSON

Defendant.

COMPLAINT

The plaintiff, the United States of America, by and through one of its attorneys for the Northern District of Illinois, Nathan Lollis, Esq., of Schuerger Law Group, sets forth its Complaint against the defendant, Diane Jackson, and states as follows:

COUNT I

1. This Court has jurisdiction for this case because the United States of America is the plaintiff (“Plaintiff”). 28 U.S.C. §1345.

2. The plaintiff is the United States of America (“Plaintiff”), acting through the Department of the Treasury’s Bureau of the Fiscal Service (“Treasury”) on behalf of the U.S. Health & Human Services, Centers for Medicare and Medicaid Services (HHS-CMS). The debt was referred to the Treasury in accordance with the Debt Collections Improvement Act of 1996 (“DCIA”). 31 U.S.C. § 3701 *et seq.*

3. The defendant, DIANE JACKSON (“Defendant”), is an individual currently residing at 1236 S. Keeler Ave, Chicago, Illinois 60623, which is located within the Northern District of Illinois.

4. On August 6, 2018, HHS-CMS sent a Notice of Intent to Refer Debt to Treasury for a medicare overpayment to Defendant in the amount of \$4,576.88. Ex. A, Certificate of Indebtedness, p. 1.

5. Plaintiff is authorized to recover medicare overpayments in federal court. 42 U.S.C. § 1395ddd.

6. On September 5, 2018, HHS-CMS referred the debt to Treasury for collection. Treasury then referred the debt to DOJ for litigation and collection on October 12, 2018.

7. On October 15, 2018, Treasury sent a demand letter to the Defendant in the amount of \$4,698.52.

8. On July 7, 2021, Treasury Debt Management Services referred the claim to the U.S. Department of Justice in the amount of \$4,500.00 with a daily interest accrual of \$1.27.

9. The Certificate of Indebtedness is correct as of May 20, 2024, and includes any applicable interest, penalties, administrative fees, and DMS & DOJ fees. Id. at p. 2.

10. The debt owed to the United States of America is as follows:

Current Principal	\$4,500.00
Current Interest (at 10.25%)	\$2,781.52
TOTAL DUE (as of 5/20/24)	\$7,281.52

Id. at p. 2.

11. Demand has been made upon Defendant for payment of the indebtedness and Defendant has neglected and refused to pay the same.

12. Additionally, Defendant has failed to appeal the determination or exhaust administrative remedies.

13. For the civil penalties assessed, Plaintiff is entitled to applicable interest, penalties, administrative fees, and Treasury fees pursuant to 29 U.S.C. § 666; 31 U.S.C. § 3717(e) and 31 U.S.C. § 3711(g)(6), (7); 31 C.F.R. § 285.12(j) and 31 C.F.R. § 901.1(f); and 28 U.S.C. § 527; and 31 C.F.R. 901.1(f).

WHEREFORE, the United States respectfully request that this Court enter a judgment against Defendant and in favor of the Plaintiff in the amount of **\$7,281.52**, plus prejudgment interest through the date of judgment, all administrative costs allowed by law; all attorney's fees allowed by law; court costs and for such other relief which the Court deems proper.

Respectfully submitted,

By: /s/ Nathan Lollis, Esq., Esq.
Attorney for the Plaintiff
Private Counsel – U.S. Department of Justice
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